

REMARKS

Claims 1-24 remain in the application for consideration of the Examiner with Claims 25-32 standing cancelled.

Reconsideration and withdrawal of the outstanding rejections are respectfully requested in light of the above amendments and following remarks.

Turning now to the art rejections, Claims 1-4, 7-13, and 16-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Marley; Claims 5 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over Marley; and Claims 6-15 were rejected under 35 U.S.C. § 103 as being unpatentable over Marley in view of Gollinger.

It is respectfully submitted that Marley does not disclose or suggest the presently claimed invention including the analysis system to determine a spoken word or an unspoken word and the analysis system operative to adjust a threshold level in accordance with the spoken and unspoken word, the threshold level shifter circuit operable by two or more different threshold levels in accordance with said spoken word or the unspoken word in independent Claim 11, albeit defined as means for shifting a threshold level in accordance with the spoken word or said unspoken word in independent Claim 23.

The Examiner alleges that Marley discloses matching the determined one or more characteristics associated with the digital pulse waveform to one or more stored characteristics associated with a set of selectable words to determine the spoken word.

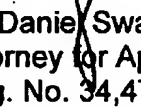
However, this does not disclose or suggest setting the threshold level based upon the unspoken word.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicant petitions for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



W. Daniel Swayze, Jr.
Attorney for Applicant
Reg. No. 34,478

Texas Instruments Incorporated
P.O. Box 655474, MS 3999
Dallas, TX 75265
(972) 917-5633